

## CODIFICATION

As originally enacted, this section contained a reference to the Supreme Court of the District of Columbia. Act June 25, 1936, substituted “the district court of the United States for the District of Columbia” for “the Supreme Court of the District of Columbia”, and act June 25, 1948, as amended by act May 24, 1949, substituted “United States District Court for the District of Columbia” for “district court of the United States for the District of Columbia”.

## FEDERAL RULES OF CIVIL PROCEDURE

Depositions and discovery, see rule 26 et seq. of Title 28, Appendix, Judiciary and Judicial Procedure.

**§ 925. Witness fees**

Witnesses summoned in a proceeding before a deputy commissioner or whose depositions are taken shall receive the same fees and mileage as witnesses in courts of the United States.

(Mar. 4, 1927, ch. 509, § 25, 44 Stat. 1437.)

## CROSS REFERENCES

Per diem and mileage generally, see section 1821 of Title 28, Judiciary and Judicial Procedure.

**§ 926. Costs in proceedings brought without reasonable grounds**

If the court having jurisdiction of proceedings in respect of any claim or compensation order determines that the proceedings in respect of such claim or order have been instituted or continued without reasonable ground, the costs of such proceedings shall be assessed against the party who has so instituted or continued such proceedings.

(Mar. 4, 1927, ch. 509, § 26, 44 Stat. 1438.)

## FEDERAL RULES OF CIVIL PROCEDURE

Judgment and costs, see rule 54, Title 28, Appendix, Judiciary and Judicial Procedure.

**§ 927. Powers of deputy commissioners or Board**

(a) The deputy commissioner or Board shall have power to preserve and enforce order during any such proceedings; to issue subpoenas for, to administer oaths to, and to compel the attendance and testimony of witnesses, or the production of books, papers, documents, and other evidence, or the taking of depositions before any designated individual competent to administer oaths; to examine witnesses; and to do all things conformable to law which may be necessary to enable him effectively<sup>1</sup> to discharge the duties of his office.

(b) If any person in proceedings before a deputy commissioner or Board disobeys or resists any lawful order or process, or misbehaves during a hearing or so near the place thereof as to obstruct the same, or neglects to produce, after having been ordered to do so, any pertinent book, paper, or document, or refuses to appear after having been subpoenaed, or upon appearing refuses to take the oath as a witness, or after having taken the oath refuses to be examined according to law, the deputy commissioner or Board shall certify the facts to the district court having jurisdiction in the place in which

he is sitting (or to the United States District Court for the District of Columbia if he is sitting in such District) which shall thereupon in a summary manner hear the evidence as to the acts complained of, and if the evidence so warrants, punish such person in the same manner and to the same extent as for a contempt committed before the court, or commit such person upon the same conditions as if the doing of the forbidden act had occurred with reference to the process of or in the presence of the court.

(Mar. 4, 1927, ch. 509, § 27, 44 Stat. 1438; June 25, 1936, ch. 804, 49 Stat. 1921; June 25, 1948, ch. 646, § 32(b), 62 Stat. 991; May 24, 1949, ch. 139, § 127, 63 Stat. 107; Pub. L. 92-576, § 15(e), Oct. 27, 1972, 86 Stat. 1262.)

## CODIFICATION

As originally enacted, subsec. (b) contained a reference to the Supreme Court of the District of Columbia. Act June 25, 1936, substituted “the district court of the United States for the District of Columbia” for “the Supreme Court of the District of Columbia”, and act June 25, 1948, as amended by act May 24, 1949, substituted “United States District Court for the District of Columbia” for “district court of the United States for the District of Columbia”.

## AMENDMENTS

1972—Subsecs. (a), (b). Pub. L. 92-576 inserted references to the Board.

## EFFECTIVE DATE OF 1972 AMENDMENT

Amendment by Pub. L. 92-576 effective 30 days after Oct. 27, 1972, see section 22 of Pub. L. 92-576, set out as a note under section 902 of this title.

## FEDERAL RULES OF CIVIL PROCEDURE

Depositions and discovery, see rule 26 et seq., Title 28, Appendix, Judiciary and Judicial Procedure.  
Injunctions, see rule 65, Title 28, Appendix.

## CROSS REFERENCES

## Contempts—

Constituting crimes, see section 402 of Title 18, Crimes and Criminal Procedure.

Power of court, see section 401 of Title 18.

**§ 928. Fees for services****(a) Attorney's fee; successful prosecution of claim**

If the employer or carrier declines to pay any compensation on or before the thirtieth day after receiving written notice of a claim for compensation having been filed from the deputy commissioner, on the ground that there is no liability for compensation within the provisions of this chapter and the person seeking benefits shall thereafter have utilized the services of an attorney at law in the successful prosecution of his claim, there shall be awarded, in addition to the award of compensation, in a compensation order, a reasonable attorney's fee against the employer or carrier in an amount approved by the deputy commissioner, Board, or court, as the case may be, which shall be paid directly by the employer or carrier to the attorney for the claimant in a lump sum after the compensation order becomes final.

<sup>1</sup> So in original. Probably should be “effectively”.